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AN ACT

RELATING TO MAGISTRATE COURTS; PROVIDING FOR A MEDIATION FEE IN CIVIL CASES; CREATING A FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. MAGISTRATE COURT MEDIATION FUND

~~CREATED--ADMINISTRATION--DISTRIBUTION.--~~

A. The "magistrate court mediation fund" is created in the state treasury. The fund shall be administered by the administrative office of the courts.

B. All balances in the magistrate court mediation fund are subject to appropriation for payment to magistrate courts for the purpose of funding and administering voluntary mediation programs. The mediation programs shall be established by supreme court rule for the efficient disposition of civil complaints.

C. Payments from the magistrate court mediation fund shall be made upon vouchers signed by the director of the administrative office of the courts upon warrants drawn by the secretary of finance and administration.

D. Any balance remaining in the magistrate court mediation fund at the end of a fiscal year shall not revert to the general fund.

Section 2. MAGISTRATE COSTS--MEDIATION FEE.--

A. Magistrate judges shall collect as costs a mediation fee not to exceed five dollars (\$5.00) for the docketing of civil actions, except as provided in Subsection A of Section 35-6-3 NMSA 1978.

B. The magistrate court shall pay to the administrative office of the courts the costs collected pursuant to this section in accordance with the procedures provided for in Section 35-7-4 NMSA 1978. The amount of costs collected shall be credited to the magistrate court mediation fund.

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2003.

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